

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA  
3

4 Neil Gomez, et al.,

5 Plaintiffs

6 v.

7 Henderson Justice Court, et al.,

8 Defendants

Case No.: 2:18-cv-00120-JAD-VCF

**Order Adopting Report and  
Recommendation and Dismissing Case  
with Prejudice**

[ECF No. 8]

9 On January 29, 2018, this Court dismissed pro se plaintiffs Neil and Christina Gomez's  
10 complaint without prejudice because they improperly sought to vacate a state-court conviction  
11 through a 42 U.S.C. § 1983 action.<sup>1</sup> The Gomezes were given until March 30, 2018, to file an  
12 amended complaint, and they were warned that "[f]ailure to timely file an amended complaint  
13 may result in a recommendation for dismissal with prejudice."<sup>2</sup> The Gomezes have failed to file  
14 an amended complaint or otherwise respond to the Court's order. For this reason, Magistrate  
15 Judge Cam Ferenbach recommends that I dismiss this case with prejudice.<sup>3</sup>

16 Judge Ferenbach issued his recommendation on April 5, 2018, making April 19, 2018,  
17 the deadline to file an objection. That deadline has come and gone, and no objection has been  
18 filed. "[N]o review is required of a magistrate judge's report and recommendation unless  
19 objections are filed."<sup>4</sup> Accordingly, with good cause appearing and no reason to delay, IT IS  
20 HEREBY ORDERED that Magistrate Judge Ferenbach's report and recommendation [ECF No.

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24 <sup>1</sup> ECF No. 4.

25 <sup>2</sup> ECF No. 7 at 1.

26 <sup>3</sup> ECF No. 8.

27 <sup>4</sup> *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474  
28 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 **8] is ACCEPTED and ADOPTED.** Plaintiffs' complaint is **DISMISSED with prejudice.** The  
2 **Clerk of Court** is directed to **ENTER JUDGMENT accordingly** and **CLOSE THIS CASE.**

3 Dated: April 23, 2018

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5 U.S. District Judge Jennifer A. Dorsey  
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